For purposes of Executive Order 12612, SBA certifies that this final rule would not have Federalism implications warranting the preparation of a Federalism assessment.

For purposes of Executive Order 12778, SBA certifies that the final rule is drafted, to the extent practicable, in accordance with the standards set forth in section 2 of that Order.

For purposes of the Regulatory Flexibility Act, SBA certifies that this final rule will not have a significant economic effect on a substantial number of small entities because, even though it would render previously ineligible applicants eligible for disaster loan assistance, SBA does not expect the number of affected applicants to be significant.

For purposes of the Paperwork Reduction Act, SBA certifies that this final rule will not impose a new recordkeeping or reporting requirement.

List of Subjects in 13 CFR Part 123

Disaster, Physical disaster and economic injury loans.

Pursuant to the authority conferred in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), SBA amends Part 123, Chapter I, Title 13, Code of Federal Regulations, as follows:

PART 123—DISASTER—PHYSICAL DISASTER AND ECONOMIC INJURY LOANS

1. The authority citation for part 123 is revised to read as follows:

Authority: 15 U.S.C. 634(b)(6), 636(b), (c), (f).

2. Section 123.2 is amended by adding the following text at the end to read as follows:

§ 123.2 Introduction.

* * * Under the Federal Debt Collection Procedures Act of 1990 (28 U.S.C. 3201(e)), a debtor who owns property which is subject to an outstanding judgment lien for a debt owed to the United States is not eligible to receive certain assistance from the Federal Government, including physical and economic injury disaster loans covered by this part. This restriction against receiving disaster loans may be waived by SBA's Associate Administrator for Disaster Assistance or his/her designee (deciding official) upon a demonstration of good cause by the applicant for assistance. Good cause may be demonstrated by a credible representation under oath, which convinces the deciding official that it is more likely than not that the disaster for which such assistance is requested caused the delinquency upon which the judgment is based, whether the debt was incurred before or after the commencement date for such disaster; or such disaster prevented the debtor from adhering to the terms of an agreement to satisfy the judgment lien, made with SBA or another agency in whose favor the judgment was entered or with any other Federal Government entity as may be appropriate, provided that such agency or entity certifies that, prior to the commencement date for the disaster, the debtor had been adhering satisfactorily to the terms of its agreement; or such other circumstances exist as may demonstrate good cause sufficient to waive the statutory prohibition. Subject to the provisions of § 123.12 concerning requests for reconsideration, a determination of the Associate Administrator for Disaster Assistance or his/her designee under this section is a final, nonappealable decision of the SBA.

Dated: March 14, 1995.

Philip Lader,

Administrator.

[FR Doc. 95–11155 Filed 5–5–95; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94–CE–06–AD; Amendment 39–9217; AD 95–09–13]

Airworthiness Directives; Cessna Aircraft Company Models T303, 402C, 404, 414A, and 421C Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes AD 93–05–03, which currently requires repetitively inspecting each fuel inlet float valve in accordance with certain test procedures on Cessna Aircraft Company (Cessna) Models T303, 402C, 404, 414A, and 421C airplanes, and replacing any valve that does not pass this test. The manufacturer has developed fuel inlet float valves of improved design, and the Federal Aviation Administration (FAA) has determined that the improved valves should be installed to reduce the number of repetitive tests currently required by AD 93–05–03. This action requires installing these fuel inlet float valves of improved design. The actions specified by this AD are intended to prevent possible loss of engine power caused by failure of a fuel inlet float valve.

DATES: Effective June 14, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 14, 1995.

ADDRESSES: Service information that applies to this AD may be obtained from the Cessna Aircraft Company, Customer Services, P.O. Box 1521, Wichita, Kansas 67201. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Charles D. Riddle, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone (316) 946–4144; facsimile (316) 946–4407.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Cessna Models T303, 401C, 404, 414A, and 421C airplanes was published in the **Federal Register** on September 19, 1994 (59 FR 47818). The action proposed to require replacing the fuel inlet float valves with parts of improved design or modifying the existing part and periodically accomplishing functional tests to assure proper operation. Accomplishment of the proposed actions would be in accordance with the ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, dated December 3, 1993.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

Since issuance of the proposal, the manufacturer has revised Cessna SB MEB93–10 to incorporate editorial corrections and add serial number 689 to the Cessna Model 402C airplane applicability list. Cessna has informed the FAA that improved design fuel valves have been incorporated on this airplane at Cessna's maintenance facilities.

After careful review of all available information, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections and the incorporation of the service bulletin revision. The FAA has determined that the minor editorial

corrections and the incorporation of the revised service bulletin will not add any additional burden upon the public than was already proposed. The addition of serial number 689 of the Cessna Model 402C airplane does not add any additional burden upon the public because the airplane operator already has incorporated the actions specified by this AD.

The replacement compliance time is presented in calendar time instead of hours time-in-service (TIS). Operators in commuter service can put up to 200 hours TIS in one calendar month while a general aviation operator may not utilize the airplane 200 hours TIS in one year. The calendar time compliance will allow commuter operators the option of accomplishing the actions to coincide with regularly scheduled maintenance.

The FAA estimates that 1,642 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 22 workhours per airplane to accomplish the required action, and that the average labor rate is approximately $60 an hour. Parts cost approximately $3,144 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $7,329,888. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required valve installation.

Cessna has informed the FAA that enough improved fuel valves have been sold to equip approximately 1,041 of the affected airplanes. Assuming that these valves are installed on Cessna Models T303, 402C, 404, 414A, and 421C airplanes, the cost impact upon U.S. operators would be reduced from $7,329,888 to $2,682,864.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing AD 93–05–03, Amendment 39–8508 (58 FR 13406, March 11, 1993), and by adding a new airworthiness directive to read as follows:

95–09–13 Cessna Aircraft Company: Amendment 39–9217; Docket No. 94–CE–06–AD. Supersedes AD 93–05–03, Amendment 39–8508.

Applicability: The following model and serial number airplanes, certificated in any category:

Model	Serial Nos.
T303	T30300001 through T30300315.
402C	402C0001 through 402C1020, and 689.
404	404–0001 through 404–0859.
414A	414A0001 through 414A1212.
421C	421C0001 through 421C1807.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To prevent possible loss of engine power caused by failure of a fuel inlet float valve, accomplish the following:

(a) For airplanes equipped with fuel inlet float valve part numbers (P/N) 9910242–1, 9910242–4, 9910242–5, 9910242–6, 9910242–7, 9910242–8, 9910242–205, 9910242–206, 9910242–207, and 9910242–208, accomplish the following:

(1) Within the next 200 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 93–05–03), perform the appropriate valve test in accordance with paragraph 2. Functional Test Procedure or paragraph 3. Installation Test Procedure in the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995. Accomplish these tests thereafter at intervals not to exceed 200 hours TIS until the fuel inlet float valves are replaced with a P/N 9910242–11 or P/N 9910242–12 valve, and then accomplish the appropriate valve test at intervals not to exceed 600 hours TIS.

(2) Within 12 calendar months after accumulating 1,800 hours TIS on a fuel inlet float valve or within the next 12 calendar months after the effective date of this AD, whichever occurs later, replace the valve with a P/N 9910242–11 or P/N 9910242–12 fuel inlet float valve in accordance with paragraph 4. Valve Replacement in the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995. Thereafter, accomplish either the functional or installation test required by paragraph (a)(1) of this AD at intervals not to exceed 600 hours.

Note 1: If the number of hours TIS accumulated on a fuel inlet float valve is unknown, airplane hours TIS may be used.

(b) For airplanes equipped with fuel inlet float valve, P/N 9910242–9 or P/N 9910242–10, accomplish the following:

(1) Within the next 200 hours TIS after the effective date of this AD, unless already accomplished (compliance with AD 93–05–03), perform the appropriate valve test in accordance with paragraph 2. Functional Test Procedure or paragraph 3. Installation Test Procedure in the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995. Accomplish the appropriate valve test thereafter at intervals not to exceed 200 hours TIS until the fuel inlet float valves are modified as specified in paragraph (b)(2) of this AD, and then accomplish the appropriate valve test at intervals not to exceed 600 hours TIS.

(2) Within 12 calendar months after the effective date of this AD, install the K74D retainer kit in accordance with PROCEDURE No. P74D, which is included with the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995. Thereafter, accomplish the functional and installation tests required by paragraph (b)(1) of this AD at intervals not to exceed 600 hours.

Note 2: Installation of the K74D retainer kit modifies the P/N 9910242–9 or P/N 9910242–10 fuel inlet float valves to the P/N 9910242–11 or P/N 9910242–12 configuration.

(c) For valves failing any repetitive installation or functional test required by paragraph (a)(1), (a)(2), (b)(1), and (b)(2) of this AD, prior to further flight, accomplish the following (unless parts are not available and then comply with the requirements of paragraph (d) of this AD):

(1) Replace the fuel inlet float valve with a P/N 9910242–11 or P/N 9910242–12 valve in accordance with paragraph 4. Valve

Replacement in the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995.

(2) Accomplish the installation test contained in paragraph 3. Installation Test Procedure in the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995. Accomplish the appropriate valve test thereafter at intervals not to exceed 600 hours TIS.

(d) If any fuel valve replacement is necessary and the replacement parts are not available, accomplish the following provided the parts have been ordered from the manufacturer and are installed within 25 hours TIS after availability:

(1) Incorporate the following into the Limitations Section of the Pilots Operating Handbook (POH) and FAA-approved Airplane Flight Manual (AFM):

(i) For the Model T303 airplanes: Unusable Fuel: Indicated fuel quantity below 36 pounds (6 gallons) in each main tank is unusable.

(ii) For the Models 402C, 404, 414A, and 421C airplanes: Unusable Fuel: Indicated fuel quantity below 90 pounds (15 gallons) in each main tank is unusable.

(iii) For the Model 404 airplanes: Fuel Quantity: Minimum indicated fuel quantity for takeoff is 228 pounds (38 gallons) in each main tank.

(iv) For the Models 402C, 414A, and 421C airplanes: Fuel Quantity: Minimum indicated fuel quantity for takeoff is 210 pounds (35 gallons) in each main tank.

(2) Fabricate placards, as applicable, with the following words in letters at least 0.10-inch in height and install these placards within the pilot's clear view on the instrument panel in close proximity to the fuel quantity gage:

(i) For Models 402C, 404, 414A, and 421C airplanes: ''UNUSABLE FUEL—INDICATED FUEL QUANTITY BELOW 90 POUNDS (15 GALLONS) IN EACH MAIN TANK IS UNUSABLE''.

(ii) For Model T303 airplanes: ''UNUSABLE FUEL—INDICATED FUEL QUANTITY BELOW 36 POUNDS (6 GALLONS) IN EACH MAIN TANK IS UNUSABLE''.

(3) For the Model 404 airplanes, fabricate four placards with the following in letters at least 0.10- inch in height: ''157 GAL''. Install these placards covering the four existing ''172 GAL'' markings on the existing placard around the engine fuel selector handles.

(4) For the Models 402C, 414A, and 421C airplanes, fabricate four placards with the following in letters at least 0.10-inch in height: ''88 GAL''. Install these placards covering the four existing ''103 GAL'' markings on the existing placard around the engine fuel selector handles.

(5) For the Model T303 airplanes, fabricate the following placards in letters at least 0.10-inch in height:

(i) ''423 LBS'' (2 placards). Install these placards covering the two existing ''459 LBS'' markings on the existing placard around the engine fuel selector handles.

(ii) ''363 LBS'' (1 placard). Install this placard covering the existing ''399 LBS'' marking on the existing placard around the engine fuel selector handles.

(6) For all affected Model airplanes, fabricate a placard with the following words in letters at least 0.10-inch in height and install this placard within the pilot's clear view on the instrument panel: ''ROLLING, TURNING TAKEOFFS ARE PROHIBITED.''

Note 3: The placard requirements may already be accomplished in accordance with either superseded AD 92–27–20 or AD 93–05–03 (superseded by this action). These placard requirements are eliminated upon installation of the improved fuel valves as required by this AD.

Note 4: The repetitive functional or installation test is not required if parts are not available and the requirements of paragraph (d) of this AD (including all subparagraphs) are complied with.

(e) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Manager, Wichita ACO, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(g) The installation, replacement, and tests required by this AD shall be done in accordance with the Cessna MEB93–10R1 ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93–10, Revision 1, Original Issue: December 3, 1993; Revision 1: March 31, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from the Cessna Aircraft Company, P.O. Box 7704, Wichita, Kansas 67277. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment (39–9217) supersedes AD 93–05–03, Amendment 39–8508.

(i) This amendment (39–9217) becomes effective on June 14, 1995.

Issued in Kansas City, Missouri, on April 26, 1995.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–10833 Filed 5–5–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 94–CE–17–AD; Amendment 39–9215; AD 95–09–11]

Airworthiness Directives; Schempp-Hirth Cirrus and Cirrus VTC Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Schempp-Hirth Cirrus and Cirrus VTC sailplanes. This action requires modifying the airbrake actuating lever and replacing the airbrake system coupling balls. Reports of the coupling balls on the airbrake actuating lever breaking at the threaded end on several of the affected sailplanes prompted this action. The actions specified by this AD are intended to prevent airbrake system failure caused by the above condition, which, if not detected and corrected, could result in sailplane controllability problems.

DATES: Effective June 9, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 9, 1995.

ADDRESSES: Service information that applies to this AD may be obtained from Schempp-Hirth Flugzeubau GmbH, Krebenstr. 25, D–7312 Kirchheim/Teck, Germany. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Herman C. Belderok, Project Officer, Sailplanes, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426–6932; facsimile (816) 426–2169.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Schempp-Hirth Cirrus and Cirrus VTC sailplanes was published in the **Federal Register** on December 20, 1994 (59 FR 65520). The action proposed modifying the airbrake actuating lever and replacing the airbrake system coupling balls. Accomplishment of the proposed actions would be in accordance with Schempp-Hirth Technical Note 265–10, dated November 5, 1992.

Interested persons have been afforded an opportunity to participate in the